

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

for the

AUG 20 2019

District of New Mexico

MITCHELL R. ELFERS
CLERK

United States of America)

v.)

Jonathan Cordova)

Case No. 19 mj 2757

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 1, 2018 in the county of Rio Arriba in the

District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. §§ 841(a)(1) and (b)(1) (A)	Possession with the Intent to Distribute 50 Grams and More of Methamphetamine;
21 U.S.C. §§ 841(a)(1) and (b)(1) (A)	Possession with the Intent to Distribute 1 Kilogram and More of Heroin
21 U.S.C. §§ 841(a)(1) and (b)(1) (B)	Possession with the Intent to Distribute 500 Grams and More of Cocaine

This criminal complaint is based on these facts:
contained in the attached affidavit.☒ Continued on the attached sheet.
Complainant's signature

Kyle Marcum, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 8-20-19
Judge's signatureCity and state: Albuquerque, New Mexico

Kirtan Khalsa, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Kyle Marcum, Special Agent of the Federal Bureau of Investigation (FBI),
United States Department of Justice, having been duly sworn, state:

Introduction

1. I am a Special Agent (SA) of the FBI, and have been since January 2017. I am currently assigned to the Albuquerque Division, Santa Fe Resident Agency. During my employment with FBI, I have conducted numerous investigations for suspected violations of federal law, including participation in other narcotics investigations. I have received training in how to conduct complex investigations and I have participated in the execution of arrest and search warrants involving narcotics violations in the past.

2. The information set forth in this affidavit was derived from my own investigation and/or communicated to me by other employees of the FBI, members of New Mexico State Police ("NMSP"), other law enforcement agencies, and from records and documents that I, and others, have reviewed. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant on a complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to demonstrate probable cause for the issuance of the requested arrest warrant.

Probable Cause

3. On November 1, 2018, the Honorable Jerry H. Ritter, United States Magistrate Judge, issued a federal search warrant (case number: 18 MR-1026) for a recreational vehicle (RV) in which Jonathon Cordova and his girlfriend, Destiney Wilkerson were believed to be living. The search warrant authorized agents to search for drugs and other drug trafficking-

related evidence. The trailer was located at Vis Del Vella Road, in Rio Arriba County, New Mexico.

4. On November 1, 2018, agents executed the search warrant on the RV. During the execution of the search warrant, officers from the New Mexico State Police (NMSP) observed Cordova fleeing the location of the search warrant at a high rate of speed while driving an Infinity four door sedan that agents knew to be associated with Cordova. NMSP initiated a pursuit of the vehicle, however, the pursuit was quickly terminated due to risk to the public.

5. After arriving at the property located at Vis Del Vella Road, I observed that there was a white and silver travel trailer (the travel trailer) that was parked next to the RV. After arriving at the property and noting the travel trailer parked in close proximity to the RV, agents from Region 3 conducted a law enforcement clearance of the travel trailer due to officer safety concerns. Officers confirmed that no one was present inside of the travel trailer. During the clear of the trailer, however, the officers from Region 3 observed digital scales sitting on a counter top and a magazine to an assault rifle sitting on a chair in the main living compartment of the travel trailer all in plain view. Having confirmed no one was present in the travel trailer, the officers exited the vehicle without conducting any search of the travel trailer.

6. With respect to the search of the RV, the contents of the RV suggested that it was being used as storage as opposed to being inhabited. It was impossible to enter more than a few feet into the RV due to the amount of clutter and items being stored inside. During the execution of the search warrant in the RV, agents discovered drug paraphernalia and a scale, which were consistent with drug distribution. Agents also located a small plastic baggie containing a white powdery substance, which field tested positive for cocaine.

7. Following the execution of the search warrant, H.O., the owner of the property on which the RV and travel trailer were parked, explained that Wilkerson brought the travel trailer to H.O.'s property approximately three months prior. H.O. explained that while Wilkerson did not reside in the travel trailer full time, Wilkerson and Cordova had been staying in the travel trailer for the last four days. H.O. said that Wilkerson was the owner of the travel trailer.

8. Wilkerson was on parole with the State of New Mexico. Based on the fact that Wilkerson was on parole and that Wilkerson was staying in the travel trailer along with Cordova, New Mexico State Probation and Parole decided to search the travel trailer for additional parole violations involving Wilkerson. The Parole Officer, along with Region 3 agents, entered the trailer to conduct the search. An agent from Region 3 opened an air conditioning unit and observed a blue bag secreted in the air conditioning unit. Because this bag was hidden in the air conditioning unit, law enforcement believed it likely contained contraband or cash proceeds of drug trafficking. The Probation Officer ceased the search and all law enforcement exited the travel trailer. The travel trailer was sealed and towed to the New Mexico State Police office in Espanola.

9. On November 1, 2018, Wilkerson was arrested on an outstanding warrant by NMSP. During a post-arrest interview and having waived her Miranda rights, Wilkerson confirmed that she and Cordova were living at the travel trailer. Wilkerson stated that the travel trailer belonged to Cordova and that he had purchased the travel trailer for \$4,000 from an individual named "Worm." Wilkerson confirmed that Cordova sold heroin and methamphetamine.

10. On November 5, 2018 Honorable Jerry H. Ritter, United States Magistrate Judge, issued a federal search warrant (case number: 18 MR-1034) for the aforementioned travel trailer. Inside the trailer the following items were discovered:

- a. Two bundles of suspected methamphetamine found in a vent above the kitchen; the substance was confirmed to be methamphetamine by the Drug Enforcement Administration's (DEA) South Central Laboratory which determined the net weight to be 885.6 grams and a substance purity of 97% +/- 4%.
- b. Four baggies of suspected methamphetamine found in a vent above the kitchen; the baggies were examined by the DEA South Central Laboratory and determined the baggies contained 304.4 grams of methamphetamine with a substance purity of 97% +/- 4%. Also in the four baggies was 8.3 grams of heroin.
- c. A Ziplock baggie with a clear rock like substance and fifteen packages wrapped in cellophane discovered inside a black duffel bag under a bench in the kitchen. The Ziplock bag and the 15 packages of cellophane were examined by the DEA South Central Laboratory and determined that the packages contained 4,809 grams of methamphetamine with a substance purity of 99% +/- 4% and 2,485 grams of heroin.
- d. Three bricks wrapped in yellow and black tape discovered inside a black duffel bag under a bench in the kitchen. The three bricks were examined by the DEA South Central Laboratory and determined to contain 2,544 grams of cocaine.

- e. Suspected fentanyl with a combined seizure weight of 41.4 grams discovered stored in a small black box on a bed in the travel trailer. The DEA South Central Laboratory is still conducting analysis of the suspected fentanyl at this time.
- f. Colt Revolver (the serial number associated to this firearm came back stolen) discovered in the air vent of the travel trailer;
- g. Tan handgun with no visible serial number discovered under a mattress in the travel trailer;
- h. AK-47 variant assault rifle discovered under a mattress in the travel trailer;
- i. Drug paraphernalia to include pipes and scales found in numerous locations throughout the travel trailer;
- j. Ohkay Owingeh Casino Player Cards belonging to Destiney Wilkerson and Jonathon Cordova discovered in the night stand next to a bed in the travel trailer.


11. On January 31, 2019, Cordova came to the FBI Albuquerque office in order to retrieve the remainder of the property inside the travel trailer that was seized by the FBI on November 1, 2018. While Cordova was collecting his property, he stated that he wanted to speak to agents about the contents of the trailer. He told agents that the narcotics found inside the travel trailer belonged to him and not to Wilkerson.

12. Based on the information set forth in this affidavit, I submit that there is probable cause to believe that Jonathan Cordova did unlawfully commit the following felony offenses:

- a. 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), Possession with the Intent to Distribute 50 Grams and More of Methamphetamine;

- b. 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), Possession with the Intent to Distribute 1 Kilogram and More of Heroin; and
- c. 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), Possession with the Intent to Distribute 500 Grams and More of Cocaine.

I swear that this information is true and correct to the best of my knowledge.



KYLE MARCUM

Special Agent

Federal Bureau of Investigation

Subscribed and sworn to before me this 20 day of August, 2019.



KIRTAN KHALSA

UNITED STATES MAGISTRATE JUDGE

Albuquerque, New Mexico